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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.	Applicant(s)				
10/530,758	LI ET AL.				
Examiner	Art Unit				
LUAT PHUNG	2416				

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	The MAILING DATE of this communication app	ears on the cover sheet with the	correspondence ad	ldress
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Status				
2a)□	Responsive to communication(s) filed on <u>17 Nc</u> This action is <b>FINAL</b> . 2b) This Since this application is in condition for allowan closed in accordance with the practice under E	action is non-final. ce except for formal matters, pro		e merits is
Disposit	ion of Claims			
5)□ 6)⊠ 7)□	Claim(s) 1-14 is/are pending in the application.  4a) Of the above claim(s) is/are withdraw Claim(s) is/are allowed.  Claim(s) 1-14 is/are rejected.  Claim(s) is/are objected to.  Claim(s) are subject to restriction and/or			
Applicati	ion Papers			
10)□	The specification is objected to by the Examiner The drawing(s) filed onis/are: a) acce Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct The oath or declaration is objected to by the Examiner.	epted or b) objected to by the drawing(s) be held in abeyance. Se on is required if the drawing(s) is ob	e 37 CFR 1.85(a). ejected to. See 37 Cl	
Priority ι	ınder 35 U.S.C. § 119			
a)	Acknowledgment is made of a claim for foreign  All b) Some * c) None of:  1. Certified copies of the priority documents  2. Certified copies of the priority documents  3. Copies of the certified copies of the prior  application from the International Bureau  See the attached detailed Office action for a list of	s have been received.  have been received in Applicate ity documents have been receive (PCT Rule 17.2(a)).	ion No ed in this National	Stage
Attachmen	. ,	лП., a	(DTG 440)	

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO/SE/C8)

Paper No(s)/Mail Date \_\_\_\_\_

Interview Summary (PTO-413)
 Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application 6) Other:

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#### DETAILED ACTION

# Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 17, 2008 has been entered.

# Response to Amendment

- Applicant's arguments filed on October 15, 2008 have been fully considered but they are not deemed to be persuasive.
- On pages 10-11, Applicants argue that:

Consistent with one embodiment of the claimed invention, "heterogeneous networks ... have different address planning and different network structures."

Applicants' specification, p. 1, para. 3. One technical problem of the prior art addressed by the present invention is where two IP telephone users in two heterogeneous networks cannot communicate with each other because the two heterogeneous networks have different network address planning.

Christie discloses networks, such as B-ISDN, SONET, SDH, and ATM. See Christie, col. 7, lines 59 to col. 8, lines 50. However, Christie does not disclose that these networks are heterogeneous. Furthermore, Christie discloses "[a] system to interworking a call between a plurality of networks having different formats." Christie.

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abstract. However, networks having different formats are not necessarily

"heterogeneous networks," as recited in claim 1. Therefore, Christie's fails to disclose "interworking... between two broadband heterogeneous networks," as recited in claim 1.

Examiner respectfully disagrees.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "heterogeneous networks ... have different address planning and different network structures") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The examiner notes the broadest reasonable interpretation in light of Applicant's specification. As a recap of the rejection of claim 1, Christie discloses interworking teleservice between two broadband heterogeneous networks (broadband-integrated digital services network (B-ISDN), SONET/SDH, ATM per col. 7, line 59 to col. 8, line 50).

On page 11, Applicants argue that:

The "format conversion" disclosed in Christie (for example, col. 12, line 27) cannot constitute "establishing a mapping between two media ports," as recited in claim 1

Examiner respectfully disagrees.

As a recap of the rejection of claim 1, Christie discloses establishing a mapping between the two media ports within the media interworking equipment by the call control

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equipment. (Fig. 2 and col. 11, line 66 to col. 12, line 67; connection from local TDM device to ATM device, i.e., mapping between TDM and ATM ports; user communication device transmitting user communications in an ESF or SF format, other TDM formats over DS level transmission lines, i.e., ports, or SONET or SDH, an ISDN format or a GR-303 format; converter interworking between signaling formats or user communication formats)

# 5. On page 12, Applicants argue that:

Modarressi "outlin[es] the fundamental requirements and salient features of (control and management in) NGN [new generation network]." Modarressi, p. 95, left column. For example, Fig. 4 of Modarressi depicts two soft switches connected to one packet network. Such an isomorphic network cannot teach or suggest the claimed "heterogeneous networks." Therefore, Modarressi fails to teach or suggest "interworking... between two broadband heterogeneous networks," as recited in claim 1.

Examiner respectfully disagrees.

As a recap of the rejection of claim 1, Modarressi discloses interworking teleservice between two broadband heterogeneous networks (IP and ATM networks per Fig. 4; next-generation network NGN including broadband services per page 96, last two para., page 97, first two para. and page 98, right col., first para.)

# 6. On pages 12-13, Applicants argue that:

Furthermore, Modarressi discloses, "egress RG [residential gateway] informs the MGC [media gateway controller] that it can receive..., on a certain port... [and then] MGC informs the calling RG of the port provided by the egress RG." Modarressi, p. 101, left

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column. Performing the same steps for the calling RG would allow "RGs at both ends of the call... [to] know which port to send.., packets to and which to receive on." Id. However, Modarressi is completely silent with respect to "establishing a mapping between the two media ports," as recited in claim 1.

Examiner respectfully disagrees.

Applicants' arguments are moot in view of the new ground(s) of rejection.

# Claim Objections

7. Claims 5 and 7 are objected to because of the following informalities:

Claim 5 recites "MGCP" for the first time; it is suggested to spell out the abbreviation.

Claim 10 recites "SIP" for the first time; it is suggested to spell out the abbreviation (see also claim 7).

Appropriate correction is required.

### Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- Claims 1, 3, 4 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Christie, et al (US 6,002,689).

Regarding claim 1, Christie discloses a method of interworking teleservice between two broadband heterogeneous networks (broadband-integrated digital services

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network (B-ISDN), SONET/SDH, ATM per col. 7, line 59 to col. 8, line 50), the heterogeneous networks being connected by a call control equipment (signaling processor per Fig. 2) and a media interworking equipment (interworking unit per Fig. 2), the call control equipment being used for signaling interworking and controlling a call between the heterogeneous networks, the media interworking equipment being used for mapping media ports of the heterogeneous networks and transmitting media streaming under the control of the call control equipment (abstract; col. 7, line 59 to col. 8, line 2; col. 8, lines 40-50; col. 10, lines 11-20; col. 11, lines 24-35), the method comprising:

receiving a call request coming from a caller party equipment in one heterogeneous network by the call control equipment; (Fig. 2; col. 11, line 66 to col. 12, line 67; local communication device initiating a call in TDM format, call signaling transmitted to signaling processor)

determining by the call control equipment whether the call request of the caller party equipment is a call between the heterogeneous networks; (Fig. 2; col. 11, line 66 to col. 12, line 67; signaling processing determining that call is to be connected to ATM communication device, i.e., between TDM and ATM networks)

creating a connection between the media interworking equipment and the caller party equipment and a connection between the media interworking equipment and a called party equipment in the other heterogeneous network under the control of the call control equipment if the call request is the call between the heterogeneous networks, (Fig. 2; col. 11, line 66 to col. 12, line 67; signaling processor sending control message to interworking unit identifying connection to ATM device (from local TDM device);

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interworking unit converting user communications) wherein creating the connections comprises:

creating a media port within the caller party equipment; (connecting from interworking unit to local device per Fig. 2 and col. 11, line 66 to col. 12, line 67)

creating a media port that corresponds to the caller party equipment (connection to local device per Fig. 2 and col. 11, line 66 to col. 12, line 67) and a media port that corresponds to the called party equipment and establishing a mapping between the two media ports within the media interworking equipment by the call control equipment; (Fig. 2 and col. 11, line 66 to col. 12, line 67; connection from local TDM device to ATM device, i.e., mapping between TDM and ATM ports; user communication device transmitting user communications in an ESF or SF format, other TDM formats over DS level transmission lines, i.e., ports, or SONET or SDH, an ISDN format or a GR-303 format; converter interworking between signaling formats or user communication formats)

creating a media port within the called party equipment; (connecting from interworking unit to ATM device per Fig. 2 and col. 11, line 66 to col. 12, line 67) and transmitting media streaming by the media interworking equipment transmitting media streaming based on the mapping between the two media ports to realize media interworking; (col. 11, line 66 to col. 12, line 67; user communications being transported to ATM communication device)

Regarding claim 3, Christie further discloses wherein, before the step of transmitting media streaming, the method further comprises:

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negotiating a media capability with the called party equipment by the caller party equipment; (col. 18, lines 20-53; col. 19, lines 52-64)

translating the format of the media streaming by the media interworking equipment if the media capability of the caller party equipment and a media capability of the called party equipment do not match. (col. 18, lines 20-53; col. 19, lines 52-64)

**Regarding claim 4**, Christie further discloses wherein, the step of translating the format of the media streaming comprises:

recovering incoming media streaming into original media streaming; (col. 18, lines 20-53; col. 19, lines 52-64)

re-encoding and compressing the original media streaming according to a desired format of the media streaming, (col. 18, lines 20-53; col. 19, lines 52-64)

Regarding claim 11, Christie further discloses a system of interworking teleservice between broadband heterogeneous networks, comprising:

a call control equipment (signaling processor per Fig. 2) which is connected between the heterogeneous networks and configured to process a call request between the heterogeneous networks and transmit signaling; (Fig. 2; abstract; col. 7, line 59 to col. 8, line 2; col. 8, lines 40-50; col. 10, lines 11-20; col. 11, lines 16-65) and

a media interworking equipment (interworking unit per Fig. 2) which is connected between the heterogeneous networks and configured to establish a mapping between media ports of the heterogeneous networks and transmit media streaming between the heterogeneous networks; (Fig. 2; abstract; col. 7, line 59 to col. 8, line 2; col. 8, lines 40-50; col. 10, lines 11-20; col. 11, lines 16-65)

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wherein the media interworking equipment implements teleservice interworking between the heterogeneous networks by establishing a media port that corresponds to a caller party equipment in one heterogeneous network (connection to local device per Fig. 2 and col. 11, line 66 to col. 12, line 67) and a media port that corresponds to a called party equipment in the other heterogeneous network (connection to ATM device per Fig. 2 and col. 11, line 66 to col. 12, line 67) and mapping the two media ports under the control of the call control equipment. (Fig. 2 and col. 11, line 66 to col. 12, line 67)

# Claim Rejections - 35 USC § 103

- 10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior act are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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12. The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

- 1. Determining the scope and contents of the prior art.
- 2. Ascertaining the differences between the prior art and the claims at issue.
- 3. Resolving the level of ordinary skill in the pertinent art.
- Considering objective evidence present in the application indicating obviousness or nonobviousness.
- 13. Claims 1 and 11, in an alternative rejection, and claims 5-10 and 12-14 are rejected under U.S.C. 103(a) as being unpatentable over Modarressi, et al ("Control and Management in Next-Generation Networks: Challenges and Opportunities", IEEE Communications Magazine, October 2000; hereinafter Modarressi) in view of Sibille, et al (US Pub. 2004/0190531).

Regarding claim 1, Modarressi discloses a method of interworking teleservice between two broadband heterogeneous networks (IP and ATM networks per Fig. 4; next-generation network NGN including broadband services per page 96, last two para., page 97, first two para. and page 98, right col., first para.), the heterogeneous networks being connected by a call control equipment (MGC/CA/Softswitch per Fig. 4) and a media interworking equipment (Trunk gateway/media gateway per Fig. 4), the call control equipment being used for signaling interworking and controlling a call between the heterogeneous networks (IP and ATM networks per Fig. 4), the media interworking equipment being used for mapping media ports of the heterogeneous networks and transmitting media streaming under the control of the call control equipment (page 100, right col.), the method comprising:

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receiving a call request coming from a caller party equipment by the call control equipment in one heterogeneous network; (page 101, left col., first bullet item)

determining by the call control equipment whether the call request of the caller party equipment is a call between the heterogeneous networks; (page 101, left col., second bullet item)

creating a connection between the media interworking equipment and the caller party equipment (Trunk gateway/signaling gateway and left Residential Gateway per Fig. 4) and a connection between the media interworking equipment and a called party equipment in the other heterogeneous network (Trunk gateway/signaling gateway and PSTN/AIN/SS7 cloud per Fig. 4) under the control of the call control equipment (MGC/CA/Softswitch per Fig. 4) if the call request is the call between the heterogeneous networks, (call between packet network, e.g., IP, and PSTN per Fig. 4; page 101, left col., last three bullet items; last para. of left col. to first para. of right col.) wherein creating the connections comprises:

creating a media port within the caller party equipment; (Fig. 4; page 101, left col., last three bullet items)

creating a media port that corresponds to the caller party equipment and a media port that corresponds to the called party equipment; (Fig. 4; page 101, left col., last three bullet items) and

creating a media port within the called party equipment; (Fig. 4; page 101, left col., last three bullet items) and

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transmitting media streaming by the media interworking equipment to realize media interworking. (page 101, left col., last three bullet items; last para. of left col. to first para. of right col.)

Modarressi does not explicitly disclose establishing a mapping between the two media ports within the media interworking equipment by the call control equipment and transmitting media streaming based on the mapping between the two media ports. However Modarressi discloses the trunk gateway/media gateway being connected to IP, ATM and PSTN networks and providing bearer connections to users (Fig. 4; page 100, right col.). It is obvious to one of ordinary skill in the art at the time of the invention that the gateway must support interworking to enable connectivity among the different bearer interfaces (IP, ATM, PSTN). Furthermore Modarressi discloses complete separation of bearer/connection control (i.e., media interworking) from call/session control (i.e., call control). Sibille from the same or similar fields of endeavor discloses establishing a mapping between the two media ports within the media interworking equipment by the call control equipment and transmitting media streaming based on the mapping between the two media ports (Fig. 2, elements 204, 206, 208; Fig. 3-5; para. 33, 34, 42-48, 55-57, 60-62, 67; setting up two-way ATM-TDM interworking bearer path; translating SDP port into ATM port; mapping IP port in SDP media data to EECID ATM port; transmitting to bearer connection; Vertical Interface Translation Function (VITF) in media gateway performing mapping and translating). Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention to combine Modarrassi's NGN architecture with Sibille's VITF by implementing mapping and

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translating function on the trunk gateway/media gateway. The motivation for doing so would have been to establish connections between different networks.

Regarding claim 5, Modarressi further discloses wherein, the call control equipment sends and receives control signaling via H.248 or MGCP protocol. (Megaco/H.248 per Fig. 4)

Regarding claim 6, Modarressi further discloses wherein at least two call control equipments (two MGCs per Fig. 4) are connected between the heterogeneous networks, and each of the at least two call control equipments controls a different party equipment, and wherein the method further comprises:

transmitting the call request by the call control equipment that controls the caller party equipment to the call control equipment that controls the called party equipment; (SIP-T per Fig. 4; page 100, right col.) and

designating one of the at least two call control equipments to control the media interworking equipment. (page 100, right col.)

Regarding claim 7, Modarressi further discloses wherein the signaling is transmitted between the call control equipments via a Session Initiation Protocol for Telephones or Bearer Independent Call Control Protocol. (page 102, left col., first two para.)

Regarding claim 8, Modarressi further discloses wherein at least two media interworking equipments are connected between the heterogeneous networks, and each of the at least two media interworking equipments is connected to a different

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network (Fig. 4, Residential Gateways (RW) in IP and ATM networks), and wherein the method further comprises:

establishing a media connection between the media interworking equipment (Trunk Gateway/Media Gateway per Fig. 4) connected to the caller party equipment's network (connection to left RW in IP network per Fig. 4) and the media interworking equipment connected to the called party equipment's network (connection to right RW in ATM network).

Regarding claim 9, Modarressi further discloses wherein one of the heterogeneous networks is a H.323 network which includes a gate keeper and a H.323 gateway; and the connection between the media interworking equipment and a party equipment in the H.323 network is established by the call control equipment and the gate keeper controlling the H.323 gateway. (page 102, left col., first two para.)

Examiner takes official notice that a gate keeper and H.323 gateway are inherent capabilities of a H.323 network according to standards specifications.

Regarding claim 10, Modarressi further discloses wherein one of the heterogeneous networks is a SIP network which includes a SIP proxy and a SIP user agent; and the connection between the media interworking equipment and a party equipment in the SIP network is established by the call control equipment and the SIP proxy controlling the SIP user agent. (page 102, left col., first two para.) Examiner takes official notice that a SIP proxy and a SIP user agent are inherent capabilities of a SIP network according to standards specifications.

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Regarding claim 11, Modarressi further discloses a system of interworking teleservice between broadband heterogeneous networks, comorising:

a call control equipment (MGC/CA/Softswitch per Fig. 4) which is connected between the heterogeneous networks and configured to process a call request between the heterogeneous networks and transmit signaling; (page 100, right col.)

a media interworking equipment (Trunk gateway/media gateway per Fig. 4) which is connected between the heterogeneous networks and configured to transmit media streaming between the heterogeneous networks; (page 100, right col.)

wherein the media interworking equipment implements teleservice interworking between the heterogeneous networks by establishing a media port that corresponds to a caller party equipment in one heterogeneous network and a media port that corresponds to a called party equipment in the other heterogeneous network. (page 100, right col.; page 101)

Modarressi does not explicitly disclose establishing a mapping between media ports of the heterogeneous networks under the control of the call control equipment. However Modarressi discloses the trunk gateway/media gateway being connected to IP, ATM and PSTN networks and providing bearer connections to users (Fig. 4; page 100, right col.). It is obvious to one of ordinary skill in the art at the time of the invention that the gateway must support interworking to enable connectivity among the different bearer interfaces (IP, ATM, PSTN). Furthermore Modarressi discloses complete separation of bearer/connection control (i.e., media interworking) from call/session control (i.e., call control).

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Sibille from the same or similar fields of endeavor discloses establishing a mapping between media ports of the heterogeneous networks under the control of the call control equipment (Fig. 2, elements 204, 206, 208; Fig. 3-5; para. 33, 34, 42-48, 55-57, 60-62, 67; setting up two-way ATM-TDM interworking bearer path; translating SDP port into ATM port; mapping IP port in SDP media data to EECID ATM port; Vertical Interface Translation Function (VITF) in media gateway performing mapping and translating). Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention to combine Modarrassi's NGN architecture with Sibille's VITF by implementing mapping and translating function on the trunk gateway/media gateway. The motivation for doing so would have been to establish connections between different networks.

Regarding claim 12, Modarressi further discloses wherein, the media interworking equipment comprises:

a protocol module for receiving control data from the call control equipment, creating the media ports and establishing correspondence relationship of the media ports; (page 101) and

a media transmitting and mapping unit for transmitting the media streaming that comes into the media interworking equipment according to the established correspondence relationship. (page 101)

Regarding claim 13, Modarressi further discloses wherein, the media interworking equipment further comprises:

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a media translating unit for processing format translation for the media streaming when media capabilities or formats of the caller party equipment and the called party equipment do not match. (page 101)

Regarding claim 14, Modarressi further discloses wherein, the call control equipment comprises:

a protocol adapter for receiving and sending control data and receiving the call request coming from the caller party equipment; (page. 101)

a call server for controlling the call request between the heterogeneous networks. (application server per Fig. 4; page 101)

 Claim 8, in an alternative rejection, is rejected under U.S.C. 103(a) as being unpatentable over Christie, et al in view of Williams ("The Softswitch Advantage", IEE Review, July 2002).

Regarding claim 8, Christie discloses all of the subject matter as previously recited in this office action except wherein at least two media interworking equipments are connected between the heterogeneous networks, and each of the at least two media interworking equipments is connected to a different network, and wherein the method further comprises:

establishing a media connection between the media interworking equipment connected to the caller party equipment's network and the media interworking equipment connected to the called party equipment's network.

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Williams from the same or similar fields of endeavor discloses two or more media gateways are connected between a public packet telephone network (PPTN) and a public packet mobile network (PPMN), whereas a media connection is established between the media gateway in the PPTN (node 4 per Fig. 2) and the radio access network media gateway in the PPMN (node 5 per Fig. 2; page 28; page 29, left col.). Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention to combine Christie's interworking system with Williams' support of multiple media gateways by configuring two or more media gateways between two networks. The motivation for combining would have been to enable growth and maintenance of the networks.

#### Conclusion

- The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form 892).
- 16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUAT PHUNG whose telephone number is (571) 270-3126. The examiner can normally be reached on M-Th 7:30 AM 5:00 PM, F 7:30 AM 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. P./

Examiner, Art Unit 2416

/Ricky Ngo/

Supervisory Patent Examiner, Art Unit 2416